

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>vs.</b>	)	<b>DOCKET NO. 2:19-cr-155-GZS</b>
	)	
<b>DUSTIN BEACH</b>	)	

**JOINT MOTION TO CONTINUE SUPPRESSION HEARING AND  
INCORPORATED MEMORANDUM**

NOW COME the parties and ask the court to continue the currently scheduled Suppression Hearing. In support of this motion, counsel state the following:

1. The Court has scheduled a testimonial in person Suppression Hearing for October 30, 2020 at 9 am. At a scheduling conference the parties notified the court they were working toward a case resolution. The court asked the parties to notify the court promptly if there was progress toward resolution.
2. The parties have reached orally what they anticipate will be a plea agreement resolving the case. The plea agreement must be reduced to writing, approved and signed by the government, then approved and signed by the defense. The case has a victim who the government must notify. The defendant is in the Cumberland County Jail and the defense must schedule a call and then get the actual agreement to the defendant for final review and signature. The agreement must be mailed back to counsel before it can be filed with the court. Due to COVID and jail limitations the process takes more time than in pre-COVID days.
3. Anticipating resolution by a plea agreement, the parties jointly ask the court to continue the Suppression Hearing. The hearing goes to statements of the defendant and any

ruling would not be dispositive of the case. Trials in Portland remain continued until at least February and there is no Speedy Trial issue. There is no prejudice to any party by continuing the hearing. The defendant is detained. The parties understand that if for any reason the anticipated resolution falls through, they will have lost the October 30, 2020 hearing date and it may be a measurable period of time before the court will have a new hearing date available.

4. AUSA Michael Conley joins in this motion.

**Wherefore the parties requests this Motion be GRANTED and the currently scheduled suppression hearing be continued at least 30 days. The parties will keep the clerk informed on the anticipated case resolution.**

DATE: October 20, 2020

/s/ David Beneman  
David Beneman  
Attorney for Dustin Beach

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October 20, 2020

/s/ Michael Conley, AUSA  
Michael Conley for the Government

#### **CERTIFICATE OF SERVICE**

I, **David Beneman**, attorney for **Dustin Beach**, hereby certify that I have served, electronically, a copy of the **within “JOINT MOTION TO EXTEND TIME TO FILE**

**MOTIONS AND INCORPORATED MEMORANDUM”** upon **Michael Conley**, Assistant United States Attorney, United States Attorney's Office, Portland, ME and all defense counsel of record via the ECF system.

/s/ David Beneman  
David Beneman

DATE: October 20, 2020